REMARKS

1. The Examiner's Rejections

Claims 1, 3, 8, 9, 10, 11, 13, 14, 15, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) in view of Hattori et al (U.S. Patent No. 5,109,401). Claims 2, 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) and Hattori et al (U.S. Patent No. 5,109,401) in view of Orsic (U.S. Patent No. 6,127,986). Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) and Hattori et al (U.S. Patent No. 5,109,401) in view of Odlyzko (U.S. Patent No. 6,295,294). Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) and Hattori et al (U.S. Patent No. 5,109,401) in view of Shober (U.S. Patent No. 5,952,922). Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) and Hattori et al (U.S. Patent No. 5,109,401) in view of Eggleston et al (U.S. Patent No. 5,764,899). Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) and Hattori et al (U.S. Patent No. 5,109,401) in view of Eng et al (U.S. Patent No. 5,958,018). Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) and Hattori et al (U.S. Patent No. 5,109,401) in view of Schiling (U.S. Patent No. 6,003,770). Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (U.S. Patent No. 6,332,075) and Hattori et al (U.S. Patent No. 5,109,401) in view of Pepe et al (U.S. Patent No. 5,742,905).

2. The Claims Are Patentably Distinct over The References Cited

The multiple rejections based on Verdonk as a primary reference will be addressed collectively hereinafter since Verdonk as a reference is improper to combine with any of the other references cited and thus such a combination does not teach, disclose or suggest the present invention as claimed.

The present invention is directed to a simple and elegant system for providing temporary wireless services to a user on a pay per use basis in a wireless ***local area network***, i.e. a ***wireless LAN***. See, e.g. Specification, page 2, lines 3-4. In the present invention, users may be charged for the temporary wireless services on a per time basis, a per packet basis, a per byte basis and/or on a per transaction basis within such a ***wireless LAN***. See, e.g. Specification, page 2, lines 13-15. The present Specification makes it very clear that the present invention operates within such a ***wireless LAN***, e.g. "a ***wireless local area network*** communication system 10 is illustrated for providing temporary wireless services to one or more users on a pay per use basis." See, e.g. Specification, page 4, lines 3-5, See, also e.g. FIG. 1.

In complete contrast, Verdonk relates to an entirely different invention, one totally unrelated to ***wireless LANs***. As Verdonk provides "Cellular wireless communication systems are generally known in the art to facilitate wireless communications within respective service coverage areas." Verdonk." Verdonk, Col. 1, lines 23-25. Verdonk further provides

> ...the user of a mobile unit may ***roam*** within most areas in the United States and be supported by a local wireless communication system. In such ***roaming*** operation, the user may access the local wireless communication system simply by operating his or her mobile unit as he or she would within his or her own service area. Verdonk, Col. 1, lines 59-63. (emphasis added)

> When roaming, however, the fee structure is altered for most mobile unit users. Roaming fees are typically charged on a usage basis when a mobile unit is outside of its "Home Zone" or when a call is terminated to the mobile unit outside of its Originating Rate Center. Further, toll charges are typically assessed for incoming calls that are routed to a roaming mobile unit. However, even when a user is roaming, roaming and toll charges are not always applied. For example, when the call originates from a roamer access port or another mobile unit, toll charges are often not assessed. Further, when a mobile unit receives a call from another mobile unit, roaming charges are not always applied. When receiving an incoming call, the user does not know whether toll charges will be applied or whether roaming fees will apply. It is not until the user receives his or her bill that this information is learned. Thus, the user has no control over these charges and no particular knowledge of when these charges will be assessed. Verdonk, Col. 2, lines 1-19.

Given the above, the invention in Verdonk is clearly based on the ability and provision of ROAMING within a cellular network. In view of this, the teachings of Verdonk would be wholly inoperative in the present invention since the present invention teaches a pay per use system which operates in a ***wireless LAN*** and NOT a cellular communication system which supports roaming. It is known to those skilled in the art that a ***wireless LAN*** does not have "roaming" and consequently would not have such "roaming" charges such as provided in Verdonk:

In reality, all Verdonk is directed to is a system for audibly alerting users when they may be charged such roaming charges:

> "By specifying a particular ring cadence that will be provided to the mobile unit when a call at an increased billing rate will be terminated to the mobile unit, the mobile unit may roam to any serving mobile switching center and receive the same distinctive ringing for increased billing rate calls. Thus, the user will be presented with a consistent operation when an increased billing rate applies. Alternatively, a differing ring cadence may be applied for calls that are terminated outside of the Originating Rate Center as compared to calls that are terminated outside of the mobile unit's Home Zone. When differing billing rates apply thereto, the user of the mobile unit will be presented with multiple distinctive ring cadences for the differing increased billing calls. Verdonk, Col. 3, lines 11-24.

In view of the above, Verdonk cannot be properly applied as a reference since Verdonk relates specifically to a conventional cellular network which supports roaming while the present invention is based on a wireless LOCAL area network where roaming is completely irrelevant. Accordingly, in view of the above, Applicants respectfully submit that the various rejections based on Verdonk as a primary reference are improper and must be withdrawn.

3. Conclusion

The rejections are deemed to be respectfully traversed and the claims allowable over the prior art. Applicant respectfully requests entry of the above amendments and remarks and favorable action in connection with this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to AT&T Corp. Account No. 01-2745. The Examiner is invited to contact the undersigned at (908) 532-1882 to discuss any matter concerning this application.

Respectfully submitted,

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